

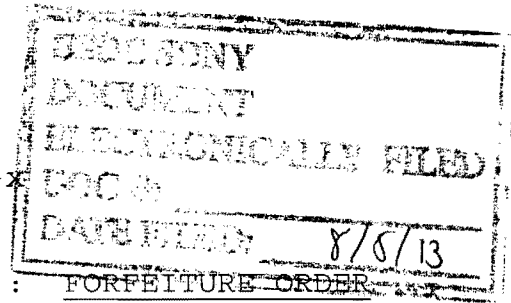
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

ORETTE KILLIKELLY,

Defendant.



: S2 09 Cr. 958 (SAS)

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-X

WHEREAS, on or about December 10, 2009, ORETTE KILLIKELLY (the "defendant"), among others, was charged in a ten-count Superseding Indictment, S2 09 Cr. 958 (SAS) (the "Indictment"), with conspiracy to commit bank and wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); and bank fraud, in violation of Title 18, United States Code, Section 1344 (Counts Two and Three);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Ten, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and 982(a)(7) and Title 28, United States Code, Section 2461, any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses alleged in Counts One through Ten of the Indictment, including but not limited to at least \$23,000,000 in United States currency, in that such sum in aggregate is property representing the approximate amount of proceeds traceable to the commission of the offenses alleged in Counts One through Count Ten, for which the defendants are jointly and severally liable;

WHEREAS, on or about December 17, 2009, the defendant pled guilty to Counts One through Three of the Indictment and admitted to the forfeiture allegation, pursuant to a plea agreement with the Government, wherein the defendant agreed to forfeit a sum of money equal to \$50,000.00 in United States currency, representing the amount of proceeds traceable to the commission of the offenses alleged in Counts One through Count Three;

WHEREAS, the defendant consents to a money judgment in the amount of \$50,000.00 in United States currency, representing the amount of proceeds obtained as a result of the offenses charged;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Three of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$50,000.00 in United States currency (the "Money Judgment"), shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, this Order is final as to the defendant, ORETTE KILLIKELLY, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and

delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. Upon execution of this Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

SO ORDERED:



HONORABLE SHIRA A. SCHEINDLIN
UNITED STATES DISTRICT JUDGE



DATE